

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled:

FORENSIC COMMUNICATION APPARATUS AND METHOD
the specification of which is attached hereto;

We have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and

We acknowledge our duty to disclose to the Patent and Trademark Office all information known to us which is material to patentability as defined in 37 C.F.R. § 1.56 (a).

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a) of any foreign application(s) for patent or inventor's certificate listed below and have also identified any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE

We hereby claim provisional priority benefits under 35 U.S.C. § 119(e) of any provisional application(s) for patent or inventor's certificate listed below and have also identified any provisional application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined 37 C.F.R. § 156 (a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

NONE

We hereby appoint:

Gregory M. Howison	Reg. No. 30,646
John J. Arnott	Reg. No. 39,095
David C. Cain	Reg. No. 45,337
Arthur J. Brady	Reg. No. 42,356

of the firm HOWISON & ARNOTT, L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications based thereon in any foreign country or before any international authorities under the Patent Cooperation Treaty.

Send Correspondence To:

HOWISON & ARNOTT, L.L.P.

P.O. Box 741715
Dallas, Texas 75374-1715

Direct Telephone Calls To:

Gregory M. Howison
at (972) 479-0462
Atty. Docket No. MPOR-26,491

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of the First Joint Inventor: **Michael F. Malone**

Inventor's Signature: _____

Date: _____

Residence (City, State): **McKinney, Texas**

Citizenship: **U.S.A.**

Post Office Address: **2711 Northview Drive, McKinney, Texas 75070**

Full name of the Second Joint Inventor: **Frederick J. Murphy**

Inventor's Signature: _____

Date: _____

Residence (City, State): **Falmouth, Massachusetts**

Citizenship: **U.S.A.**

Post Office Address: **126 Ambleside Drive, Falmouth, Massachusetts 02540**

ASSIGNMENT

WHEREAS, we, Michael F. Malone and Frederick J. Murphy, citizens of the U.S.A., have invented certain new and useful improvements in "FORENSIC COMMUNICATION APPARATUS AND METHOD" for which we are about to make application for United States Letters Patent; and

WHEREAS, MyPort Technologies, Inc., a corporation of the State of Delaware, which has a business address of 2711 Northview Drive, McKinney, Texas 75070, (hereinafter referred to as "Assignee"), is desirous of acquiring our entire right, title and interest in and to the invention, and in and to said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we do hereby sell, assign and transfer unto said Assignee, its successors, assigns and legal representatives the full and exclusive right, title and interest in and to said invention and in and to said application and all patents which may be granted therefor, and all divisions, reissues, substitutions, continuations, continuations-in-part and extensions thereof; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as our interests are concerned, to said Assignee of our entire right, title and interest.

We also hereby sell and assign to said Assignee, its successors, assigns and legal representatives the full and exclusive right, title and interest to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world including all rights of priority, all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and we further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such right, title and interest in Assignee, its successors, assigns and legal representatives.

We hereby further agree that we will communicate to said Assignee, or to its successors, assigns and legal representatives, any facts known to us respecting any improvements, and, at the expense of said Assignee, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make all lawful oaths, and generally do everything possible to vest title in said Assignee and to aid said Assignee, its successors, assigns and legal representatives to obtain and enforce proper protection for said invention in all countries.

Name of First Joint Inventor: **Michael F. Malone**

Residence (City, County, State): **McKinney, Collin, Texas**

Signature: _____

Date: _____

Date Application Executed: _____

STATE OF §

COUNTY OF § ss:

BEFORE ME, a Notary Public, on this ____ day of _____, 2003, personally appeared Michael F. Malone, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed same of his own free will for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL of office this ____ day of _____ A.D., 2003.

Notary Public

Commission Expires:

Name of Second Joint Inventor: **Frederick J. Murphy**

Residence (City, County, State): **Falmouth, _____, Massachusetts**

Signature: _____

Date: _____

Date Application Executed: _____

STATE OF §

COUNTY OF § ss:

BEFORE ME, a Notary Public, on this ____ day of _____, 2003, personally appeared Frederick J. Murphy, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed same of his own free will for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL of office this ____ day of _____ A.D., 2003.

Notary Public

Commission Expires:
